to be entitled and does not concede, in any way, that the subject matter of such claim was in fact taught or disclosed by the cited prior art. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

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2.   35 U.S.C. §103(a). The Examiner has rejected Claims 1-51 under 35 U.S.C. §103(a) as being unpatentable over Gerace (U.S. Pat. No. 5,848,396) in view of Lumelsky (U.S. Pat No. 6,246,672) and in further view of Lowe et al (U.S. Pat No. 6,298,218).

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Applicant respectfully disagrees.

Claims 1, 16, 22, 32, 42, and 46;

15   Claims 1, 16, 22, 32, 42, and 46 have been amended to clarify the invention and appear as follows:

1.   A method of advertising, the method comprising:
       maintaining an Internet-related communication session between a user and a
20   voice portal;
       during the communication session, periodically selecting and playing advertisements automatically based on context ratio and sales ratio determination; and
       selectively disabling a user's ability to stop or interrupt an advertisement from
25   being played depending upon the advertisement being played.

16.   A service which provides audio advertisements over a two way communication device during a communication session, the service comprising:
       a user interface which coordinates communication of the service with a user
30   and receives voice commands from the user that allow the user to navigate through the service;
       an advertising subsystem coupled to the user interface, the advertising subsystem being configured to coordinate the selective presentation of advertisements to the user, said selective presentation based on context ratio and
35   sales ratio determination;

whereby the advertisements include sponsorship advertisements which accompany each communication session, advertisements selectively played based on particular attributes of the user, and advertisements selectively played based on permission by the user; and

5   selectively disabling a user's ability to stop or interrupt an advertisement from being played depending upon the advertisement being played.

22.   A system for advertising using voice control, the system comprising:

           means for maintaining a communication session between a user and a voice

10   portal;

           means for periodically selecting and playing advertisements automatically during the communication session based on context ratio and sales ratio determination; and

           selectively disabling a user's ability to stop or interrupt an advertisement from

15   being played depending upon the advertisement being played.

32.   A method of selecting and playing advertising in a voice controlled computer environment comprising:

           receiving voice navigational commands from a user;

20   generating a set of possible advertisements, the set of possible advertisements being related to a context;

           ordering the set of possible advertisements based on a sales criteria associated with each advertisement of the set of possible advertisements and based on context ratio and sales ratio determination;

25   periodically selecting and playing advertisements automatically from the set of possible advertisements based on the ordering; and

           selectively disabling a user's ability to stop or interrupt an advertisement from being played depending upon the advertisement being played.

30   42.   A system of selecting and playing advertising in a voice controlled computer environment comprising:

           means for receiving voice navigational commands from a user;

           means for generating a set of possible advertisements, the set of possible advertisements being related to a context;

means for ordering the set of possible advertisements bas d on a sales criteria associated with each advertisement of the set of possible advertisements and based on context ratio and sales ratio determination;

means for periodically selecting and playing advertisements automatically
5   from the set of possible advertisements based on the ordering; and

means for selectively disabling a user's ability to stop or interrupt an advertisement from being played depending upon the advertisement being played.

10   46.   A computer program product comprising computer readable program code for advertising with an Internet voice portal, the program code in the computer program product comprising:

first computer readable program code for generating a set of possible advertisements;

15   second computer readable program code for ordering the set of possible advertisements based on a sales criteria associated with each advertisement of the set of possible advertisements and based on context ratio and sales ratio determination;

third computer readable program code for periodically selecting and playing
20   advertisements automatically from the set of possible advertisements based on the ordering;

fourth computer readable program code for receiving voice . navigational commands from a user; and

fifth computer readable program code for selectively disabling a user's ability
25   to stop or interrupt an advertisement from being played depending upon the advertisement being played.

In particular, Gerace does not teach or disclose a system that periodically selects and plays advertisements automatically based on context ratio and sales ratio determination. Gerace
30   makes no mention of a voice portal nor one that periodically selects and plays advertisements automatically based on context ratio and sales ratio determination. Gerace does not contemplate such a system.

Further, Lumelsky does not teach or disclose a system that periodically selects and plays
35   advertisements automatically based on context ratio and sales ratio determination.

Lumelsky makes no mention of such a feature. Therefore, Lumelsky does not contemplate such a system.

5 Further, Lowe *et al* does not teach or disclose a system that periodically selects and plays advertisements automatically based **on context ratio and sales ratio** determination. Lowe *et al* makes no mention of context ratio as claimed in the invention. Therefore, Lowe *et al* does not contemplate such a system.

10 Therefore, Gerace in view of Lumelsky and in further view of Lowe *et al* does not teach or disclose the invention as claimed.

Claims 1, 16, 22, 32, 42, and 46 are deemed in allowable condition. Claims 2-15, and 17-21, and 23-31, and 33-41, and 43-45, and 47-51 are dependent upon Claims 1, 16, 22, 32, 42, and 46, respectively. Therefore, Applicant respectfully requests that the Examiner
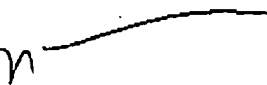15 withdraw the rejection under 35 U.S.C. §103(a).

CONCLUSION

20 Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Advisory Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.
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Respectfully Submitted,

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